	Application No.	Applicant(s)
Notice of Allowability	10/735,096	TSUN ET AL.
	Examiner	Art Unit	
	GEORGE L. OPIE	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *Applicant's amendments on 03/23/06*.

2. ☒ The allowed claim(s) is/are *1, 4, 5, 8, 9, and 12 (now renumbered 1-6)*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

Examiner's Amendment

An examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee.

Authorization for this Amendment was given by Applicant's representative, Robert W. Glatz (Reg. No. 36,811) in a telephone call on 23 March 2006.

The Specification and Claims have been amended as set forth in the attached Amendment submitted by Mr. Glatz.

Contact Information:

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system.

Status information for published applications may be obtained from either Private-PAIR or Public-PAIR.

Status information for unpublished applications is available through Private-PAIR only.

For more information about the PAIR system, see   http://pair-direct.uspto.gov.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

The Official fax number (571) 273-8300 should be used for any and all facsimile submissions to the Office.

Hand carried responses should be delivered to the *Customer Service Window* (Randolph Building, 401 Dulany Street, Alexandria, Virginia 22314).
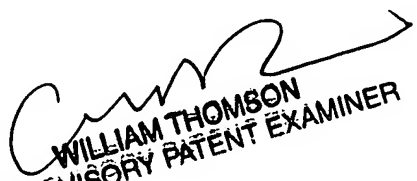
All responses sent by U.S. Mail should be mailed to:
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at **(571) 272-2100.**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Opie at 571-272-3766 or via e-mail at *George.Opie@uspto.gov.* Internet e-mail should not be used where sensitive data will be exchanged or where there exists a possibility that sensitive data could be identified unless there is an express waiver of the confidentiality requirements under 35 U.S.C. 122 by the Applicant. Sensitive data includes confidential information related to patent applications.

WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Tsun et al.   Examiner: George L. Opie
Serial No.: 10/735,096   Group Art Unit: 2194
Filed: December 12, 2003   Confirmation No.: 1585
For: **METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR
        COORDINATION OF OPERATIONS FOR INTERRELATED TASKS**

VIA FACSIMILE
Attn: Examiner Opie

<u>PROPOSED AMENDMENT AND INTERVIEW SUMMARY</u>

Dear Sirs:

Applicants provide the present proposed amendment and interview summary
responsive to a request from the Examiner during a teleconference of March 23, 2006
pursuant to the rules stated in revised 37 C.F.R. 1.121 that became effective on July 30, 2003.

Proposed Amendments to the Specification begin on page 2 of this paper.

Proposed Amendments to the claims are reflected in the Listing of the Claims that
begins on page 3 of this paper.

Remarks begin on page 7 of this paper.

Proposed Amendments to the Specification:

Please replace all occurrences of the title with the following amended title:

<p style="text-align:center">METHODS, SYSTEMS AND COMPUTER PROGRAM
PRODUCTS FOR MONITORING A TASK INTERRELATED TASKS
EXECUTING ON A COMPUTER USING QUEUES</p>

Please replace the paragraph on page 1, lines 2-4 with the following amended paragraph:

This application is a divisional of Application Serial No. 09/234,085 filed on January 19, 1999, which issued on March 16, 2004 as United States Patent No. 6,708,224, the disclosure of which is incorporated by reference herein in its entirety.

Please replace the paragraph on page 11, lines 6-15 with the following amended paragraph:

Referring now to **FIG. 4**, a particular hardware and software environment in which the present invention can be applied will now be described. As shown in **FIG. 4**, the present invention may be applied to systems for testing the performance of a communications network **12**. Such a network performance system is further described in copending U.S. Patent Application No. [[   ]] United States Patent No. 6,397,359, entitled "Methods, Systems and Computer Program Products for Scheduled Network Performance Testing" (Attorney Docket 5670-6) which is incorporated by reference herein in its entirety. Communications network **12** provides a communication link between endpoint nodes **14, 15, 16, 17, 18** (corresponding to remote devices **292, 294, 296**) and console node **20** (corresponding to first device **298**).

Proposed Amendments to the Claims:

This listing of the claims will replace all prior versions, and listings, of claims in the present application:

Listing of Claims:

1.   (Currently amended) A method for monitoring a task executing on a data processing system, the task having an associated work in process queue and an associated work pending queue, comprising the steps of:

providing the task configured to properly execute requests which are terminated in progress and restarted from an initial start point of the requests;

determining if the task is executing properly; and

restarting the task if it is not executing properly; and

wherein the step of restarting the task comprises the step of reinitiating execution by the task of requests in the work in process queue from the initial start point of the requests, including:

placing requests in the work in process queue in the work pending queue;

clearing the work in process queue; and

reinitiating execution by the task of requests from the work pending queue;

wherein a plurality of interrelated tasks are monitored by a watchdog task and wherein each of the plurality of interrelated tasks has an associated work in process queue and an associated work pending queue and wherein at least one of the plurality of interrelated tasks places requests in the associated work pending queue of a second of the plurality of interrelated tasks and executes requests from its associated work pending queue received from a third of the plurality of interrelated tasks.

2-3.   Canceled.

4.   (Currently amended) A method according to Claim [[3]] 1 wherein the second

of the plurality of interrelated tasks is the third of the plurality of interrelated tasks.

5.   (Currently amended) A system for monitoring tasks executing on a computer, comprising:

a first task having an associated work in process queue and an associated work pending queue,

a watchdog task comprising:

means for determining if the first task is executing properly; and

means for restarting the first task if it is not executing properly, the means for restarting comprising:

means for placing requests in the work in process queue in the work pending queue;

means for clearing the work in process queue; and

means for reinitiating execution by the first task of requests from the work pending queue; and

wherein the first task further comprises means for properly executing requests which are terminated in progress and restarted from an initial start point of the requests; and

wherein a plurality of interrelated tasks are monitored by the watchdog task and wherein each of the plurality of interrelated tasks has an associated work in process queue and an associated work pending queue and wherein at least one of the plurality of interrelated tasks places requests in the associated work pending queue of a second of the plurality of interrelated tasks and executes requests from its associated work pending queue received from a third of the plurality of interrelated tasks.

6-7.   Canceled.

8.   (Currently amended) A system according to Claim [[7]] 5 wherein the second of the plurality of interrelated tasks is the third of the plurality of interrelated tasks.

9.   (Currently amended) A computer program product for monitoring a task executing on a computer, the task having an associated work in process queue and an associated work pending queue, the computer program product comprising:

a computer-readable storage medium having computer-readable program code means embodied in said medium, said computer-readable program code means comprising:

computer-readable program code means for determining if the task is executing properly;

computer-readable program code means for restarting the task if it is not executing properly, the computer-readable program code means for restarting comprising:

computer-readable program code means for placing requests in the work in process queue in the work pending queue;

computer-readable program code means for clearing the work in process queue; and

computer-readable program code means for reinitiating execution by the task of requests from the work pending queue; ~~and~~

wherein the task is configured to properly execute requests which are terminated in progress and restarted from an initial start point of the request; and

wherein a plurality of interrelated tasks are monitored by a watchdog task and wherein each of the plurality of interrelated tasks has an associated work in process queue and an associated work pending queue and wherein at least one of the plurality of interrelated tasks places requests in the associated work pending queue of a second of the plurality of interrelated tasks and executes requests from its associated work pending queue received from a third of the plurality of interrelated tasks.

10-11. Canceled.

12.   (Currently amended) A computer program product according to Claim [[11]] 9 wherein the second of the plurality of interrelated tasks is the third of the plurality of

interrelated tasks.

13-15. Canceled.

REMARKS

The proposed amendments to the specification (including amendments to the title) and the claims address all of the issues discussed during the interview of March 23, 2006. The Examiner indicated during the interview that these amendments would place this case in form for allowance and would be entered by way of Examiner's amendment. As requested by the Examiner during the interview, the proposed amendment is being submitted by email only in electronic form for the Examiner's use in generating the Examiner's amendment.

These amendments are submitted to expedite issuance of the present application as a patent and without prejudice to Applicants right to file a continuation application. If further informalities are noted, the Examiner is encouraged to contact the undersigned by telephone to expedite allowance of the present application.

Respectfully submitted,

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